

REMARKS

Applicants have carefully reviewed the arguments presented in the Office Action and respectfully request entry of the amendment and reconsideration of the claims in view of the remarks presented below. Applicants believe that the amendments place the claims in condition for allowance and will not require any additional searching to complete examination.

Claims 1 and 7 have been amended, and claims 3, 4 and 13 were canceled. Thus claims 1-2 and 5-12 are pending in the application. No new matter was added by way of the amendments.

Claims 1-3, 5, 9 and 11 were rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential steps. Applicants traverse these rejections.

Claim 1 was amended to additionally recited the steps of calculating a voxel value at the location of the wall and storing the voxel value in an image buffer, as suggested by the Examiner. Since amended claim 1 was not rejected for any other reason, Applicants respectfully submit that claim 1 as amended is patentable and requests that the rejection be withdrawn and that claim 1, and its dependent claims, be allowed.

Claims 7 and 8 were rejected under 35 U.S.C. 103(a) as being unpatentable over Yuji (JP2000051207). Applicants respectfully traverse these rejections.

Claim 7 was amended to recite that the steps of calculating a voxel value at the location of each step of the ray, adding the voxel value to an image buffer, and incrementing the angular projection of the ray one degree in a selected direction when the selected distance is reached is repeated until the angular projection of the ray has been incremented a total of 180 degrees in a selected projection, then returning to the starting point, and continuing to repeat, incrementing in the opposite direction until the angular projection of the ray has been incremented a total of 180 degrees in the opposite direction. Neither Yuji, nor any of the other cited art, taken alone or in combination disclose such a combination of steps. Nor would one skilled in the art, reading Yuji, or any of the other cited art, obtain the claimed method because none of the art teaches or even suggests incrementing the ray projection for 180 degrees, returning to the start, and incrementing the projection for 180 degrees in the opposite direction.

Moreover, the amendment to claim 7 is similar to that of amended claim 1. Applicants thus believe that the amendment to claim 7 places the claim in a condition for allowance without requiring further examination of amended claim 7, or its dependent claims. Accordingly, Applicants respectfully submit that claim 7, and its dependent claims, are patentable over the cited art and request that the rejection be withdrawn and the claims allowed.

Claims 10 and 12 were rejected under 35 U.S.C. 103(a) as being unpatentable over Yuji, as applied to claim 7 and further in view of Vining et al. (U.S. Patent No. 5,920,319). Applicants traverse these rejections in view of the above described claim amendments. Claims 10 and 12 depend from claim 7, and thus include all of the limitations of that claim. As discussed above, Applicants believe that amended claim 7 is patentable over the cited art, and thus claims 10 and 12 are also patentable over the cited. According, Applicants request that the rejection of claims 10 and 12 be withdrawn and that the claims be allowed.

For all of these reasons, Applicants submit that claims 1 and 7 as amended, and the claims dependent therefrom, are novel and not obvious in view of the cited art, and respectfully request that the rejections be withdrawn and the claims allowed.

CONCLUSION

Applicants have carefully reviewed the arguments presented in the Office Action and respectfully request reconsideration of the claims in view of the remarks presented. In light of the above amendments and remarks, Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Should the Examiner have any questions concerning the above amendments and arguments, or any suggestions for further amending the claims to obtain allowance, Applicants request that the Examiner contact Applicants' attorney, John Fitzgerald, at 310-242-2667.

The Commissioner is authorized to credit any overpayment or charge any additional fees in this matter to our Deposit Account No. 06-2425.

Date: July 21, 2009

Respectfully submitted,

FULWIDER PATTON LLP

By: /john k. fitzgerald/
John K. Fitzgerald
Registration No. 38,881

JKF:vmm
Howard Hughes Center
6060 Center Drive, Tenth Floor
Los Angeles, CA 90045
Telephone: (310) 824-5555
Facsimile: (310) 824-9696
Customer No. 24201
346810.1